

Application No.: 10/621,976
Date of Response: 02/18/2005
Reply to Action of: 01/25/2005

REMARKS

This Amendment is being entered in response to the Office Action of January 25, 2005. In this Office Action, the Examiner issued a Restriction Requirement between the following groups:

- 5 I. Claims 152-163 and 172-231 and
 II. Claims 164-171.

With regard to the Restriction Requirement, the applicants elect group I corresponding to claims 152-163 and 172-231 with traverse. Applicants believe the restriction is improper and respectfully request claims 152-231 be examined
10 together.

With regard to the present restriction requirement, the Examiner has stated:

 Upon careful review of the elected claims 152-231,
 claims 164-171 appear to be directed to a product
15 made by the process of claim 152 for the reason that
 the recitation of "said imaged decal assembly" on
 lines 1 and 2 appears to be referring to the imaged
 ceramic product made by the process of claim 152.
 Accordingly, a further restriction is deemed
20 necessary...

Applicants respectfully disagree that the claim element "said imaged decal assembly" refer to "said imaged ceramic product." An amendment has been entered to clarify the applicants' position. Additionally, other amendments have been made to clarify various formal matters in the claims.

25 The element "said imaged decal assembly" and "said imaged ceramic product" are two distinct elements. The "imaged decal assembly" is an intermediate in the process recited in claim 152 and is not the final product of the process. In contrast, the "imaged ceramic product" is the final product of the claims at issue. As such, claims 164-171, which refer to the "imaged decal
30 assembly," are not product by process claims and should not be subjected to restriction. In one embodiment of the invention, an image is first produced on an

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"imaged decal assembly". This image is then transferred onto a "ceramic substrate", thus producing an "imaged ceramic product". Claims 164-171 refer to the imaged decal assembly, and thus do not refer to the product of the process recited in claim 152.

5 The applicants believe that the amendment that accompanies this response traverses the restriction requirement. Applicants respectfully request the restriction be withdrawn and claims 152-231 be examined together.

To the extend necessary, please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to
10 Deposit Account 50-2753 and credit any excess fees to such deposit account. If necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made.

Respectfully submitted,
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